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A t t o r n e y s a t L a w

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September 25, 2012

**Via ECF and E-mail and Via Federal Express**

Hon. Jose L. Linares  
Martin Luther King Federal Building and Courthouse  
50 Walnut Street  
Newark, NJ 07101

*Re: Wendy Starland v. Rob Fusari, et al.*  
*Civil Action No.: 10-cv-04930 (JLL)(MAH)*

Dear Judge Linares:

I represent the Defendants in the above captioned matter. I am writing to the Court today with regard to the Defendant's Motion for Summary Judgment and Motion to Seal, which were filed on September 21, 2012. My office contacted your Law Clerk, Alex and was advised to refile said Motions as they were filed incorrectly and incomplete. Please be advised that the Plaintiffs were served with an accurate copy of the motions via email, the same version that was supplied as a courtesy to Your Honor. However, due to the volume of the documents that both parties have supplied, we have agreed to overnight a CD containing all materials.

I am hereby requesting the documents referenced as 172, 173 (which I believe was already terminated) and 174 be terminated from the docket as my office will be refilling the correct documents. Again, I apologize to all, my secretary who normally handle this matter and all filings was out of the office last week.

If I can provide any additional information, please feel free to call upon me.

Respectfully submitted,

JAMES C. DEZAO  
JCD/ap

Cc: All parties of record via email and electronic filing